

REMARKS

In the Office Action, claims 1-8, 10 and 27 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,385,303 (Peterson). Claims 13-16 were rejected under 35 U.S.C. § 103(a) as being obvious over Peterson in view of U.S. Patent 5,479,489 (O'Brien). For the reasons set forth hereinbelow, Applicants respectfully request that the rejections associated with the pending claims (i.e., claims 1-8, 10, 13-16 and 27) be withdrawn.

Claims 1-8, 10 and 27

Applicants submit that independent claim 1 is not anticipated by Peterson because Peterson fails to disclose each and every element of claim 1. *See* MPEP § 2131 (stating that a claim is anticipated only if each and every element as set forth in the claim is disclosed in a single prior art reference). More particularly, Applicants submit that Peterson fails to disclose, among other things, “identifying the caller by analyzing the voice of the caller received when the caller speaks the name of the callee” as recited in claim 1.

The Examiner has determined that Peterson, at column 13, lines 30-37 thereof, discloses “identifying the caller by analyzing the voice of the caller when the caller speaks the name of the callee.” (*See* Office Action, page 3, lines 3-4). Applicants respectfully disagree with this determination. Column 13, lines 30-37 of Peterson reads as follows:

“Information obtained from the caller, i.e., the information identifying the caller and/or the callee, is processed by the respective telephones which include the present invention. In this embodiment, the telephones which include the present invention process the information obtained from the caller in order to obtain the identity of the caller and/or the callee.”

Applicants submit that Peterson, from column 11, line 21 to column 13, line 41 thereof, describes a third embodiment which discloses a system for identifying callees of incoming telephone calls by identifying the caller. This third embodiment includes the passage at column 13, lines 30-37 cited by the Examiner. Applicants further submit that Peterson's third embodiment merely discloses determining the identity of a caller by using a Caller ID unit or alternatively, by analyzing the voice of the caller when the caller speaks his/her own name. (*See* Peterson, column 12, lines 28-43). Thus, Applicants submit that the "identifying the caller" referred to at column 13, lines 30-37 of Peterson, merely refers to identifying the caller with a Caller ID unit or alternatively, by analyzing the voice of the caller when the caller speaks his/her own name - **not when the caller speaks the name of the callee** as recited in claim 1. Therefore, Applicants submit that claim 1 is not anticipated by Peterson because Peterson fails to disclose each and every element of claim 1. Accordingly, Applicants respectfully request that the § 102(e) rejections associated with claims 1-8, 10 and 27 be withdrawn.

Claims 13-16

Claims 13-16 depend from independent claim 1. For reasons similar to those set forth hereinabove, Applicants submit that claim 1 is nonobvious over the cited references because the cited references, either alone or in combination, fail to teach or suggest each and every element of independent claim 1. *See* MPEP § 2143 (stating that one of the elements of a *prima facie* case of obviousness under § 103(a) is that the cited references must teach or suggest every limitation of the claimed invention). Applicants further submit that claims 13-16, which depend from claim 1, are also nonobvious over the cited references. *See* MPEP §2143.03 (stating that if an independent claim is

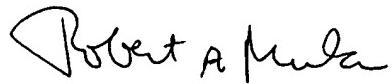
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Attorney Docket No. 99483

nonobvious under §103(a), then any claim depending therefrom is nonobvious). Accordingly, Applicants respectfully request that the §103(a) rejections associated with claims 13-16 be withdrawn.

CONCLUSION

Applicants respectfully request a Notice Of Allowance for the pending claims in the present application. If the Examiner is of the opinion that the present application is in condition for disposition other than allowance, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below in order that the Examiner's concerns may be expeditiously addressed.

Respectfully submitted,

  
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